

Entered on Docket
April 20, 2023EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HORTON,

Plaintiff,

v.

PG&E CORPORATION,

Defendant.

Case No. [22-cv-06367-HSG](#)**ORDER DENYING MOTION FOR
RECONSIDERATION**

Re: Dkt. No. 14

On March 21, 2023, the Court granted PG&E Corporation's and Pacific Gas and Electric Company's (collectively, "PG&E") motion to dismiss Ricky-Dean Horton's bankruptcy appeal for lack of jurisdiction. Dkt. No 13. Bankruptcy Rule 8002(a)(1) states that "a notice of appeal must be filed with the bankruptcy clerk within 14 days after entry of the judgment, order, or decree being appealed." However, Mr. Horton did not file his appeal until almost a year after this deadline. *Id.* Mr. Horton has since filed a motion for reconsideration. Dkt. No. 14.


In his motion and declaration, Mr. Horton identifies alleged deficiencies in the Court's order granting the motion to dismiss. *See* Dkt. Nos. 14, 15. He explains, for example, that he was not simply challenging a specific order by the bankruptcy court. Rather, he contends that his due process rights were violated when the bankruptcy court concluded that his claims were barred by the statute of limitations without holding a hearing, resolving his evidentiary objections, or allowing him to confront witnesses in court. *See* Dkt. No. 14 at 2–4. Mr. Horton also maintains his substantive disagreement with the bankruptcy court's conclusions about his claims. *See id.* at 4–5.

Critically, none of Mr. Horton's arguments address the timeliness of his appeal. The Court continues to find that it lacks jurisdiction, and no further briefing or hearing is necessary. The

1 Court therefore **DENIES** the motion for reconsideration.

2 **IT IS SO ORDERED.**

3 Dated: April 19, 2023

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5 HAYWOOD S. GILLIAM, JR.
6 United States District Judge
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United States District Court
Northern District of California